

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

WILLIE ROBERTS, et al.,
Plaintiffs,
v.
COUNTY OF KERN, et al.,
Defendants.

Case No. 1:21-cv-00725-KJM-CDB

AMENDED ORDER SETTING SETTLEMENT
CONFERENCE

Settlement Statements due: July 7, 2025
Settlement Conference: July 11, 2025, at 10:00
AM

At the parties' joint request, Magistrate Judge Christopher D. Baker will hold a settlement conference on **July 11, 2025, at 10:00 a.m.** Unless the parties request the conference to be in-person, the Court will conduct the settlement conference via video conference. The Zoom settlement conference invitation will be distributed by the Court to the parties the week prior to the conference date.¹ The Court has reserved the entire day for this settlement conference and expects the parties will proceed with the settlement conference in good faith and attempt to resolve all or part of the case. If any party believes that the settlement conference will not be productive, that party shall so inform the court no less one week in advance of the settlement conference.

Unless otherwise permitted in advance by the Court, the following individuals must attend

¹ Any difficulties concerning Zoom video conference, or connecting to the Zoom video conference, shall immediately be reported to Cori Boren, Courtroom Deputy for Judge Baker, at CBoren@caed.uscourts.gov.

1 the settlement conference: (1) the lead attorney(s) who will try the case; and (2) individuals with
2 full authority to negotiate and settle the case, on any terms.² See Local Rule 270(f).

3 **No later than June 9, 2025**, Plaintiffs shall submit to Defendants, by mail or email, a
4 written itemization of damages and a meaningful settlement demand, including a brief explanation
5 of why such settlement is appropriate, which shall not exceed five pages.

6 **No later than June 18, 2025**, Defendants shall respond, by mail or email, with an
7 acceptance of Plaintiff's offer or a meaningful counteroffer, including a brief explanation of why
8 such settlement is appropriate. If settlement is achieved, the parties shall file a Notice of Settlement
9 as required by Local Rule 160

10 If the matter is not settled through the parties' informal discussions as set forth above, **no**
11 **later than July 7, 2025**, each party must submit to Judge Baker's chambers at
12 CDBorders@caed.uscourts.gov a confidential settlement conference statement. These statements
13 should neither be filed on the docket nor served on any other party.

14 In compliance with Local Rule 270(d)-(e), the settlement statements will be used
15 exclusively by Judge Baker to prepare for and conduct the settlement conference and not for any
16 other purpose. If applicable, the statements should be marked "CONFIDENTIAL." See Local
17 Rule 270(d).

18 The statements should not exceed ten pages and must include:

19 (1) a brief recitation of the facts;

20 (2) a discussion of the strengths and weaknesses of the case, including the party's position
21 on the factual and legal issues and brief review of the evidence to support that party's factual
22 position;

23 (3) an itemized estimate of the expected costs for further discovery, pretrial, and trial
24 matters, in specific dollar terms;

25 (4) the party's best estimate of the probability that it will prevail should this case proceed

26 ² Insurance carriers and governmental bodies or agencies whose settlement agreements are subject to
27 approval by legislative bodies, executive committees, or the like shall be represented by a person or persons who
28 occupy high executive positions in the party organization and who will be directly involved in the process of
approval of any settlement offers or agreements. To the extent possible, the representative shall have authority, if he
or she deems it appropriate, to settle the action on terms consistent with the opposing party's most recent demand.

1 to trial;

2 (5) the party's best estimate of the damages or relief plaintiff may recover should this case
3 proceed to trial and plaintiff prevail (in specific dollar terms and/or injunctive relief, if applicable);

4 (6) a history of settlement discussions (including a listing of any current settlement offers
5 from any party, in specific dollar terms), a candid statement of the party's current position on
6 settlement, including **the amount that it will give/accept to settle** (in specific dollar terms), and a
7 statement of the party's expectations for settlement discussions;

8 (7) a list of the individuals who will be attending the settlement on the party's behalf,
9 including names and, if appropriate, titles.

10 At the outset of the settlement conference, the undersigned may call upon the parties'
11 counsel and the party representatives to briefly discuss their expectations for the conference and
12 other matters of mutual interest before the parties break into separate caucuses.

13 Notwithstanding the provisions of Federal Rule of Evidence 408, all statements made by
14 the parties relating to the substance or merits of the case, whether written or oral, made for the first
15 time during the settlement conference will be deemed to be confidential and shall not be admissible
16 in evidence for any reason in the trial of the case, should the case not settle. This provision does
17 not preclude admissibility in other contexts, such as pertaining to a motion for sanctions regarding
18 the settlement conference.

19 IT IS SO ORDERED.

20 Dated: June 2, 2025

21 
22 UNITED STATES MAGISTRATE JUDGE